



PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	5489-98"US"
First Inventor	Gilles Simard
Title	Attachment Bracket for Shelf Support System
Express Mail Label No.	EU145530845US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **14**]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **2**]
5. Oath or Declaration [Total Pages **2**]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Notice of Filing

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: **09, 776,321**

Prior application information:

Examiner:

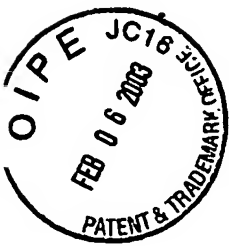
**Amy Jo Sterling**Group Art Unit: **3632**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

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Name (Print/Type)	David M. Carter	Registration No. (Attorney/Agent)	26,407
Signature			Date 02/06/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Gilles Simard

Continuation of Application  
Serial No. 09/776,321

Filed: February 2, 2001

For: ATTACHMENT BRACKET FOR  
SHELF SUPPORT SYSTEM

Attorney Docket: 5489-98"US"

Examining Attorney:  
Amy Jo Sterling

Art Unit: 3632

Asheville, North Carolina  
February 6, 2003  
Express Mail EU145530845US

16800 U.S.PTO  
10/813701  
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NOTICE OF FILING OF AMENDMENT  
AFTER FINAL AND PETITION FOR  
THREE (3) MONTH EXTENSION OF TIME  
IN PATENT APPLICATION

Date of Deposit: February 6, 2003

I hereby certify that this correspondence, paper or fee is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

David M. Carter  
(Typed or printed name of person mailing)

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

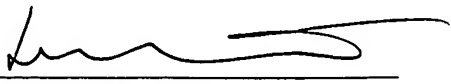
(Signature of person mailing)

The above-referenced application which is attached hereto is a continuation of Application Serial No. 09/776,321 filed February 2, 2001. The six (6) month statutory period to respond to the Office Action of August 6, 2002 in the '321 application will expire on February 6, 2003.

On February 5, 2003, Applicant filed an Amendment After Final Rejection for the '321 Application responding to an August 6, 2002 Office Action together with a Petition for a Three Month Extension which included an authorization to charge the extension fee to Deposit Account 19-5113. It is believed that the February 5, 2003 Amendment will place the '321 Application in condition for allowance. However, on the outside chance that the Examiner will not enter the February 5, 2003 Amendment, the Applicant is today filing the above-referenced Continuation Application.

Since the three (3) month extension fee was paid when the February 5, 2003 Amendment was filed, it is submitted that no extension fee is due in connection with the filing of this Continuation Application. In the event that the February 5, 2003 Amendment results in allowance of the '321 Application, Applicant intends to expressly abandon this Continuation Application.

Respectfully submitted,

By:   
David M. Carter  
Registration No. 26,407

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